

## ACQUITTAL OF SWAYNE

Pronounced Not Guilty on All Charges.

### END OF THE LONG TRIAL

ACTION OF THE SENATE AT THIS MORNING'S SESSION.

Galleries Crowded With Spectators of the Closing Proceedings—The Defendant Not Present.

The Senate, sitting as a court of impeachment for the trial of Charles Swayne, district judge for the northern district of Florida, today acquitted him on all of the twelve articles of impeachment brought by the House of Representatives. On none of the articles was there even a majority for conviction, although it required two-thirds to convict. The closest vote was on the last article, the contempt case of W. C. O'Neal, when thirty-five senators voted guilty and forty-seven not guilty, while on two articles only thirteen senators voted for conviction. The voting for the most part was on party lines, though there was not a strict alignment on any article. At the close of the voting the presiding officer directed the secretary to enter an acquittal upon the records and the court then adjourned without delay.

Judge Swayne was not in the Senate during the roll calls, but in the President's room just back of the chamber. The result of each ballot was sent to him by his attorneys. Five of the House managers attended during the proceedings.

The Senate met at 9:50 a. m. today for the purpose of making final disposition of the Swayne impeachment case by voting upon the articles of impeachment. There was an exceptional attendance of senators, and the galleries were crowded. Many members of the House also were in attendance. They occupied seats especially set apart for them in the rear of the Senate chamber, and followed the proceedings with the closest attention.

Between the hour of meeting and the time of the beginning of the trial Mr. Frye asked and obtained unanimous consent fixing a time to have considered six bills reported from the committee on commerce. The necessity for the proposed legislation had been made apparent, he said, by the disaster to the General Slocum in New York. The time was fixed at 5 p. m. Tuesday.

The House managers in the impeachment case and the attorneys for Judge Swayne were then ushered in and took their usual seats, and the sergeant-at-arms for the last time made proclamation of the trial, as usual threatening imprisonment for a violation of the rule imposing silence.

Judge Swayne was not present. Mr. Platt (Conn.) announced that the rule prohibiting applause would be rigidly enforced, a violation resulting in the certain eviction of the offender.

The trial preliminaries required only ten minutes. The first article of impeachment then was read, and the vote taken on it. In this article Judge Swayne was charged with making a false certificate of expenses while holding court at Waco, Tex. "Senators," said the presiding officer, when the article was read, "how say you? Is the respondent Charles Swayne guilty or not guilty as charged in this article?"

The calling of the roll by the secretary was then begun. Mr. Aldrich's name was first. He was not present, so that the first senator to rise in response to the call was Mr. Alger, who voted "Not guilty." In clear and distinct tones. He was followed immediately in the negative by Messrs. Allison, Aldie and Ankeny, all pronouncing verdict while standing. All are republicans.

Mr. Bacon was the first democrat on the roll and likewise the first to answer in the affirmative, finding Judge Swayne guilty. The vote throughout was largely partisan, Messrs. Bard, Kittredge, McCumber and Nelson (republicans) voting with the democrats for conviction, and Messrs. Dubois, Clark and Gibson casting their ballots with the republicans for acquittal.

The utmost quiet prevailed while the voting progressed. The vote stood 33 to 49, being in detail as follows:

**The Detailed Vote.**  
Guilty—Bacon, Bailey, Bard, Bate, Berry, Blackburn, Carmack, Clark (Mont.), Clay, Cockrell, Culberson, Daniel, Foster (La.), Gorman, Kittredge, Latimer, McCreary, McCumber, McEnery, McLaurin, Mallory, Martin, Money, Morgan, Nelson, Newlands, Overman, Patterson, Pettus, Simmons, Stone, Tallaferro, Tamm, etc.

**The Chair's Announcement.**  
Under the rule requiring a two-thirds vote to convict, fifty-five votes in the affirmative would have been necessary to convict. As this vote was almost reversed Judge Swayne was pronounced to be not guilty. The chair announced this to be the result, saying: "On article 1 of the impeachment of Charles Swayne thirty-three senators have voted 'guilty' and forty-nine senators have voted 'not guilty.' Two-thirds not having voted for conviction, Charles Swayne stands ac-

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TWO CENTS.

## SITUATION IS SERIOUS

St. Petersburg Disturbed Over Caucasus Troubles.

### 42 WORKMEN KILLED

MAXIM GORKY, THE AUTHOR, TO BE RELEASED TOMORROW.

More Strikes Are Reported in Warsaw—Troubles in Kaffa Mostly Racial Clashes.

Special Dispatch to The Evening Star.  
NEW YORK, February 27.—A cablegram from St. Petersburg says: The situation in the Caucasus is rapidly becoming more serious. At Baku today armed Armenians invaded Molotov's factory and killed forty-two Russian workmen who refused to participate in a revolutionary movement.

**Gorky to Be Released.**  
LONDON, February 27.—A dispatch to a news agency from St. Petersburg says: Governor General Trepoff authorizes the announcement that Maxim Gorky, the noted author and one of the leaders of the reform movement, will be released tomorrow.

**REPORTS EXAGGERATED.**  
Troubles in Kaffa Mostly Due to Race Riots.

THEODOSIA (Kaffa), Crimea, February 27.—The recent disturbances here have been greatly exaggerated. One Jew died as the result of street fighting growing out of the anti-government demonstrations on the part of Jewish strikers.

The latter paraded the streets, forcing a stoppage of work, and shouting "Down with the czar." "Give us equality." A rope had been placed around the statue of Alexander III, with the object of burning it, when the police dispersed the crowd.

Some unimportant conflicts occurred between Christians and Jews, the former declaring that there were still people in Russia who would defend the czar.

**More Strikes at Warsaw.**  
WARSAW, February 27, 5 p. m.—The employees of the suburban steam railroads have struck, and the city firemen announced they will strike on Saturday unless given higher wages. The grave-diggers at the Jewish cemeteries have made similar demands.

### THE COLORADO GOVERNORSHIP.

Briefs Filed of Findings in Counsel for Contestants.

DENVER, Colo., February 27.—Printed copies of the briefs of the findings of counsel for James H. Peabody and Alva Adams in the gubernatorial contest were today placed in the hands of each member of the committee which heard the evidence in the case and the committee began consideration of the report, which is to be submitted to the joint convention of the general assembly on Thursday next.

Peabody's brief claims his election by 2-3 majority; this result being reached by rejecting the entire vote of 104 Denver precincts and a number of precincts in Adams, Boulder, Conejos and Pueblo counties, which gave democratic majorities. The chief of the return of the election from these precincts are so permeated with fraud that the true results of the election in them cannot be determined.

Governor Adams' brief claims that he has a majority of 4,656 after eliminating all precincts in which the fairness of the election has not been proven.

### EXCITED TRADING CONTINUED.

Speculation Lively in Wall Street Today—Favorites Conspicuous.

NEW YORK, February 27.—The speculative excitement of Saturday was carried over into today's stock market, but professional operators held to their traditional policy of selling to take profits in a strong market. The market was characterized by a highly irregular movement of prices. The volume of dealings was as large as that of Saturday, and distribution of the dealings amongst different issues was better than last week. The late favorites continued the most conspicuous, however, the great trunk line stocks and Pacifics absorbing a large share of attention. New York Central and Union Pacific were very heavily sold to take profits, while Pennsylvania continued its upward movement, serving as a sustaining influence.

During the first half of the excited trading Union Pacific was carried 14, and Minneapolis, St. Paul and Sault Ste. Marie, 24. After the profit taking had spent part of its force very large buying orders were put into the market, and New York Central started to 161. St. Paul to 187, and Pennsylvania was lifted 14 on Saturday, making new high levels on the movements for all three stocks.

Union Pacific only got a half off Saturday, and the renewed pressure to realize on that stock unsettled the market again and the place by force, that the eastern Pacific was the next feature to come into prominence and was rushed up to 184 on an absorption of long strings of a thousand-share blocks and upward.

**Found Treasure in Sacks.**  
AURORA, Ill., February 27.—The sum of \$10,000 was found today in the home of Mrs. Jacob Frank of Cockran, Ind., lately deceased. The money was in gold and bills and represented the savings of fifty years.

**A New Judge to Be Appointed.**  
Representative Jones of Washington, who has succeeded in getting through Congress a bill creating a new judicial district in the eastern part of Washington, saw the President today to make some recommendations. For judge of the new district Mr. Jones, who was accompanied by ex-Governor John H. McGraw, recommended Edward Whitson, a prominent lawyer of Spokane. It is said that there will be no serious opposition to Whitson. For United States attorney the Washington delegation has about agreed upon State Senator Lindley of Spokane, and for marshal the man who has the best of the situation is George A. Baker, former national committeeman of the republicans of Washington.

**To Take Place of Senator Aldrich.**  
Senator Lodge was today appointed by President Pro Tempore Frye a member of the joint inaugural committee on the part of the Senate to take the place of Senator Aldrich, who is abroad.

## THE STATEHOOD BILL

PROSPECTS FOR A COMPROMISE NOT PROMISING.

The prospects of the statehood bill today are very unpromising. As the situation now stands only by unanimous consent can any statehood bill be passed through the Senate. In the House of Representatives the fate of statehood rests practically with half a dozen men. But in the Senate any one senator may interpose with an objection, and in the present crowded state of business before the Senate that objection would be sufficient to prevent any action on the bill.

But senators who interpose such objection will have to take the responsibility for their action. It is understood that on the republican side there is a strong inclination to ward a compromise. It is believed that statehood for Oklahoma and Indian territory alone would receive the approval of every republican and of nearly every democrat. Two of the republicans have not been inclined to accept such a compromise, but it is believed today that they would do so. On the democratic side there is opposition which, it is feared by those who wish to see at least some sort of statehood bill pass, will prevent any possible compromise through agreement.

Beside giving Oklahoma and Indian territory joint statehood, leaving the balance of the bill out of consideration, there is one other possible basis for a compromise in the Senate, that being the Foraker amendment allowing Arizona and New Mexico to be separately admitted to the Union as joint statehood for those two territories.

But the prospects do not encourage any of these possibilities. Compromises, which might be effected in the Senate, has been received from that body.

Senator Bailey today offered an amendment to the Indian appropriation bill, giving Oklahoma and Indian territory joint statehood with reference to the other territories. This act caused a good deal of hostile criticism on the part of members of the bill out of consideration, there is one other possible basis for a compromise in the Senate, that being the Foraker amendment allowing Arizona and New Mexico to be separately admitted to the Union as joint statehood for those two territories.

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## MUKDEN NOW SHELLED

Japanese Opened Fire With 11-inch Mortar Guns.

### GREAT DAMAGE CAUSED

GENERAL FIGHTING REPORTED IN PROGRESS ALL ALONG LINE.

Special Force Sent to Cut Off Russian Communication by Railroad With Vladivostok.

NIUCHWANG, February 27 (via Tien Tsin, 6 p. m.).—According to a person who has just returned here from the front, the Japanese are shelling Mukden with eleven-inch mortars. The bombardment, which was recently commenced, is further reported to have caused great damage far behind the Russian lines.

Advices from Chinese sources say that a general engagement is in progress all along the line. The heaviest fighting is reported to be occurring on the Japanese right, and General Kuropatkin is said to be sweeping far north and threatening to crumple the Russians back on the railroad.

A special force is reported to be moving from the south and east with the intention of cutting off the Russian communications by railroad with Vladivostok.

### RUSSIANS FORCED TO RETIRE.

Gen. Linewitch's Army Made a Precipitate Retreat.

Special Dispatch to The Evening Star.  
NEW YORK, February 27.—A cablegram from Paris says: A St. Petersburg dispatch reports that it is learned from private dispatches that the Russians were forced to retire from Tsin-hoehing in face of overwhelming numerical superiority of Chinese forces. General Linewitch's army made precipitate retreat before a superior force.

**Japanese Cannoning.**  
ST. PETERSBURG, February 27.—General Kuropatkin, in a dispatch dated February 26, announces that the Japanese have commenced cannonading in the direction of Gauto and Wanfun losses.

**Russian Bombardment.**  
TOKYO, February 27.—The only announcement made today from the headquarters of the Japanese armies in Manchuria was a brief statement to the effect that the Russians continued a bombardment Saturday and Sunday; that the enemy is very cold, and that it is snowing.

**Penalty for Violating Lena Parole.**  
ST. PETERSBURG, February 27.—Yielding to the demand of the United States, Russia has not only ordered the officers of the cruiser Lena, who violated their parole, to be sent to San Francisco, but has reduced them one grade as punishment. The only excuse offered was their youth.

**REGARDED LIGHTLY.**  
War Office Attaches No Importance to Far East Fighting.

ST. PETERSBURG, February 27, 5:10 p. m.—According to the news of the resumption of the Japanese attack on Gauto Pass the war office has no dispatches from the front, and does not attach great significance to the fighting eastward, saying that the forces engaged are comparatively small, though they are suffering heavily.

The Associated Press dispatches verify this conclusion. The position at Tsin-tai today, about seventy miles east of Mukden, is far advanced in comparison with the general line, and the retirement of the Russians was only as far as the general alignment, but the dispatches intimate that the Japanese are concentrating against the whole left flank, which is being heavily reinforced in preparation for extensive fighting.

A correspondent of the Associated Press who has investigated personally the reports that large forces of Japanese are in Manchuria says they do not exceed 600 Japanese and 3,000 Chinese bandits.

**DESPERATE FIGHTING.**  
Russians Hold Passes After Many Assaults of Enemy.

MADYADANI, Manchuria, February 27.—After fighting of the most desperate nature the Russians remained yesterday evening in possession of Che and De passes, against which the Japanese had been flinging themselves madly from noon until dark. The Russians, who were greatly outnumbered, sustained repeated attacks, some units losing as high as 70 per cent in killed or wounded in hand-to-hand fighting with the bayonet.

**JAPANESE OFFENSIVE.**  
Gen. Kuropatkin Reports Active Movements of the Enemy.

ST. PETERSBURG, February 27.—A dispatch from General Kuropatkin dated February 26, says: "The enemy is continuing the offensive against the front of our Tsin-khetchen detachment, and has turned both its flanks."

The Japanese have also advanced against Kantle Pass, turning our left flank, but all his attacks on Tang and Beidaling have been repulsed. At some positions our riflemen forced the Japanese outposts to retire. Colonel Gorskys was severely wounded."

**CALLERS ON SECRETARY HAY.**  
Mr. Rockhill Discusses the Situation in the Far East.

Mr. W. W. Rockhill, who is to succeed Mr. Conger as United States minister at Peking, having just returned from Europe, where he went to fetch his daughter, who is to accompany Mrs. Rockhill and himself to Peking, called at the State Department today to pay his respects and to discuss with Secretary Hay recent events in the far east. Mr. Rockhill will probably sail within a month for his post.

Another caller upon Secretary Hay was Mr. Edwin W. Morgan, United States consul at Dalny. Mr. Morgan was appointed nearly a year ago, but was never able to reach his post, owing to the fact that Dalny was still within the theater of war. However, Mr. Morgan was employed by the State Department to great advantage in assisting the consular officers in Chefoo, Shanghai, Nuchwang and even at the legation at Peking. It is not yet settled whether or not he will make another effort to take up his post at Dalny, and, in fact, there is to be a considerable rearrange-

ment of the United States consulates in the east at the end of the war which, not being yet fully planned, makes it impossible to predict the future movements of any one consul, though it is certain that several new consular offices will be opened by the State Department in Manchuria and Korea when that time comes.

**LOST LETTER FOUND.**  
It Had Been Wandering Around Since 1867.

A letter which was mailed at Olena, Cal., May 31, 1867, has just been received by H. H. Wilson, master-at-arms of the United States cruiser Pensacola, at Mare Island, Cal. The letter was addressed to Wilson & Evans, a firm of firearms makers which has not been in existence for years. Wilson sent the letter to the postmaster at San Francisco, who referred it to the Post Office Department at Washington.

The writer of the letter was J. B. Turner, who wished a loan of \$100. He has been located in Oregon by the Post Office Department, and says he had entirely forgotten the circumstances. How that letter was hidden in the mails for thirty-eight years to be finally delivered to the addressee and never get into the hands of the dead letter office is a mystery which can only be solved by tracing it from point to point in its unusual career. It is supposed that it got hidden away somewhere in the State Department in Manchuria and Korea when that time comes.

**ANDARA'S VISIT USELESS.**  
This Government Would Give No Such Pledge as He Desires.

Having no official status so far as now known, Joseph L. Andara, who is represented as having arrived in New York as an agent of an incipient revolution in Venezuela, directed against President Castro, will probably not be able to personally communicate with Secretary Hay when he comes to Washington. It is said to be out of the question for the State Department to give any pledges to refrain from intervention in Venezuela in the interests of a revolutionary movement. In fact, the department could scarcely be expected to admit that there was any possibility of intervention in the internal affairs of a foreign country, so that whatever is accomplished by Senator Andara toward aiding the revolutionary party in Venezuela must be entirely without reference to the State Department.

The department has been advised by its Venezuelan agent that the present Castro, of the spirit of rebellion, but all of these reports have placed the headquarters of the movement outside of Venezuela proper.

**PRACTICALLY GIVEN UP.**  
Admiral Dewey Not Likely to Take the Guantanamo Trip.

Although Admiral Dewey is reported to be much improved in health today, he has practically abandoned his plan of going to the naval station at Guantanamo, Cuba, to inspect and review the vessels of the North Atlantic fleet now engaged in maneuvers in that vicinity. Admiral Dewey was to make the trip from this city to Guantanamo and back on the dispatch boat Dolphin, now at the Washington navy yard, and was to start on the 7th proximo.

It is probable that the Dolphin will make the trip from San Francisco, but if so it will only be because Secretary Morton decides to take the trip from this city to Guantanamo and back on the dispatch boat Dolphin, now at the Washington navy yard, and was to start on the 7th proximo.

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When you get a "special figure" or "cut rate" on advertising space, it is safe to assume that some competitor in your business is getting still more favorable terms. The only safe rule is to deal where the same rate is charged to everybody for the same service.

## GENERAL DEFICIENCY

Bill Submitted to the House Today.

### ITEMS FOR DISTRICT

THEY AMOUNT IN